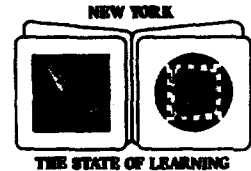


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April 13, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ervin Duggan
Commissioner

Federal Communications Commission
FCC Building, Room 222
1919 M. Street, NW
Washington, D.C. 20554

In Re: MM Docket No. 93-48, FCC 93-123

Dear Commissioner Duggan:

On behalf of the New York State Board of Regents and Thomas Sobol, President of the University of the State of New York and Commissioner of Education, I submit the following comment on "whether and in what manner the Federal Communications Commission's (FCC) Rules might be revised to more clearly identify the levels and types of programming necessary in the long term to adequately serve the educational and informational needs of children." (All quotations are from the FCC's notice of inquiry.)

Meeting the educational and informational needs of children is obviously a significant priority for the New York State Board of Regents and the State Education Department. The issue is all the more important because the FCC is contemplating rulemaking which will have powerful and long-lasting consequence on commercial broadcast television's service to children from their pre-school through mid-teenage years.

Research studies repeatedly point out that children under the age of sixteen watch an enormous amount of television. Since it is very unlikely that the children's behavior will change, it is vital that the society use whatever appropriate means it has to improve for children the television viewing experience. So far as the technology will allow, television should seek to be interactive by involving children in inquiry-based learning and problem solving.

In general we concur with the logic and assumptions set forth in the "Background" section of the notice of inquiry. The Children's Television Act (CTA) of 1990 intends to increase the *amount* of children's educational and informational programming. It intends *reduced commercialization* of children's television. Educational and informational programming for children should be regular, predictable and patterned to build significant and loyal audiences. While the Act leaves commercial broadcasters substantial discretion, "Plainly, however, that discretion is not unlimited." Reliance on short-segment vignettes and public service announcements cannot by themselves constitute a commercial television broadcaster's satisfactory compliance with CTA obligations. All of which leads to the conclusion that the FCC should refine its processing of renewal applications in light of CTA requirements.

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Let me now comment on the specific preliminary views described in the notice of inquiry:

FIRST: We emphatically concur with the Commission's view that "broadcasters should